



U.S. Department of Justice

United States Attorney
Southern District of New York

26 Federal Plaza
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New York, New York 10278

August 14, 2024

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

**Re: *United States v. Roman Storm*
23 Cr. 430 (KPF)**

Dear Judge Failla:

The Government respectfully submits this letter regarding the defendant's motion to suppress. (Dkt. 37). During oral argument on the defendant's motion, the Court inquired whether there was a "gap that [could] be bridged." (*See* Transcript of July 12, 2024 Hearing ("Tr."), Dkt. 69, at 42). In the interests of efficiency and judicial economy, the parties have met and conferred and have agreed as follows:

The Government will proceed in its search of devices found in defendant's home. Defendant does not object to the search of such devices. (Def't Reply Br. at 11); (Tr. 28 ("If those devices are on the premises, they can search those devices.")).

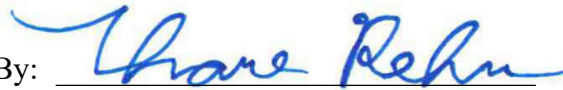
The Government agrees that it will not, however, seize or transfer any cryptocurrency that is identified as a result of the Government's search of the defendant's premises and any devices found therein, without first obtaining a new warrant authorizing such seizure. Based on this agreement, the parties request that the Court deny the defendant's motion to suppress as moot (Dkt. 37). The Government has conferred with defense counsel, who joins in this request.

In reaching this agreement, neither party concedes any prior arguments or objections or waives any future arguments or objections.

Respectfully submitted,

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Application GRANTED. In light of the parties' agreement, the Court DENIES Defendant's motion to suppress as moot.

The Clerk of Court is directed to terminate the pending motion at docket number 26.

Dated: August 15, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE